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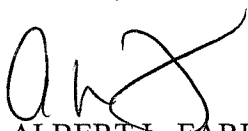
September 30, 2005

United States District Court
One Courthouse Way
Boston, MA 02210

RE: Nancy Rosario, et al v. RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse
United States District Court Docket #05-CV-10617MLW

I enclose for filing Plaintiff's Initial Disclosure in the above matter. Please contact me if you have any questions.

Sincerely,



ALBERT L. FARRAH, JR.

pmp

ELECTRONIC FILING

Encl.

cc: Nancy Rosario
Louis J. Farrah, II, Esq.
Brian Voke, Esq.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

NANCY ROSARIO, INDIVIDUALLY, AS)
SHE IS THE ADMINISTRATRIX OF THE)
ESTATE OF AWILDA SANTIAGO, ESSEX)
PROBATE COURT DOCKET #03P-2499AD1,)
P/P/A VERONICA ROSARIO AND)
CHRISTINA SANTIAGO, AND AS)
SHE IS THE ADMINISTRATRIX OF THE)
ESTATE OF JOSE SANTIAGO, BERLIN)
(CONNECTICUT))
PROBATE COURT, CASE #03-0713)
Plaintiff)

Civil Action #05-CV-10617MLW

v.)

RARE HOSPITALITY INTERNATIONAL, INC.)
d/b/a LONGHORN STEAKHOUSE)
Defendant)

PLAINTIFF'S INITIAL DISCLOSURE

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, the plaintiff makes the following initial disclosures:

(a) **names, addresses and telephone numbers of each individual likely to have discoverable information relevant to disputed facts alleged with particularity in the pleadings, identifying the subjects of the information.**

Persons #1 through #27 are likely to have discoverable information about the events of September 26 and September 27, 2003 relating to the claims in this action concerning liability, the events that occurred at the Longhorn Steakhouse, Leominster, MA on September 26, 2003, subsequent events, including the activities of Jeffrey Southworth and persons in his party, later in the evening of September 26, 2003 and the early morning of September 27, 2003, including

information relating to Jeffrey Southworth's operation of a Dodge Dakota truck on those days, the collision between that truck and a motor vehicle driven by Jose Santiago in which Julia Schmidt and his three daughters were passengers, and description of the accident scene on Rt. 495 in Westford, MA, including Jeffrey Southworth's activities at the accident scene, the discovery of injured parties and various rescue efforts, and the subsequent apprehension and arrest of Jeffrey Southworth, later in the day on September 27, 2003.

1. Jeffrey Southworth, c/o Massachusetts Dept. of Corrections
2. Terry L. Essary, 221 Fairystone Lake Drive, Stuart, VA 24171-3158, (276) 930-2408
3. Thomas Scott Espey, 80 Old Mill Road, Harvard, MA 01451-1122, (978) 772-2357
4. Michael Espey, 80 Old Mill Road, Harvard, MA 01451-1122, (978) 772-2357
5. Jude Connelly, 15 Lovers Lane, Harvard, MA 01451, (978) 456-8453
6. William Todd Currie, 16 Westcott Street, Harvard, MA 01451, (978) 456-8662
- 6a. Matt Cenicola, address unknown
- 6b. Bruce _____, address unknown
7. Various employees of RARE Hospitality International, Inc., whose identities and addresses have yet to be determined, including Leigh Chabot
8. Trooper Paul Sullivan, Massachusetts State Police, 906 Elm Street, Concord, MA, (978) 369-1004

9. Trooper Brad Kessel, Massachusetts State Police, 906 Elm Street, Concord, MA, (978) 369-1004

9a. Trooper Kerry A. Alvino, Massachusetts State Police, Collision Analysis and Reconstruction Section, 485 Maple Street, Danvers, MA, (978) 538-6065

9b. Trooper James Crump, Massachusetts State Police, 485 Maple Street, Danvers, MA

9c. Chemist Robert Martin, Massachusetts State Police, 485 Maple Street, Danvers, MA

9d. George Gagnon, Massachusetts State Police, 485 Maple Street, Danvers, MA

9e. Keeper of the Records, Massachusetts Registry of Motor Vehicles, Washington Street, Boston, MA

10. Officer James McCusker, Westford Police Department, 53 Main Street, Westford, MA, (978) 692-2161

11. Officer Daniel O'Donnell, Westford Police Department, 53 Main Street, Westford, MA, (978) 692-2161

12. Officer Christopher Ricard, Westford Police Department, 53 Main Street, Westford, MA, (978) 692-2161

13. Sgt. Harvey Cote, Westford Police Department, 53 Main Street, Westford, MA, (978) 692-2161

14. Lt. James Barrett, Westford Police Department, 53 Main Street, Westford, MA, (978) 692-2161

15. EMT James R. Klecak, Westford Fire Department, 637 High Street, Westford, MA, (978) 692-5542

16. EMT Gregg McLaughlin, Westford Fire Department, 637 High Street, Westford, MA, (978) 692-5542

17. EMT Shawn Girard, Westford Fire Department, 637 High Street, Westford, MA, (978) 692-5542

17a. Keeper of the Records, Trinity Ambulance Service, P.O. Box 187, Lowell, MA

17b. Various employees of Trinity Ambulance Service, whose identities are currently unknown

17c. Keeper of the Records, Lowell General Hospital, Lowell, MA

17d. Various employees of Lowell General Hospital whose identities are currently unknown

17e. Keeper of the Records, Tri-Area Lowell Paramedics, Lowell, MA

17f. Various employees of Tri-Area Lowell Paramedics whose identities are currently unknown

18. EMT Keith Dunn, Littleton Fire Department, Littleton, MA, (978) 952-2302

19. John G. Ryan, III, 18 Wall Street, Linwood, MA

20. Jordan Tankis, 118 Main Street, Uxbridge, MA

21. James Ryan, 18 Wall Street, Linwood, MA

22. Jeanne-Louise Ogle, 23 Sterling Street, Clinton, MA

23. Janet E. Pruett, 20 John Swift Road, Acton, MA

- 23a. Melissa Larson, address unknown
- 24. Nancy Rosario, 6 Washington Way, Lawrence, MA
- 25. Christina Santiago, 6 Washington Way, Lawrence, MA
- 26. Veronica Rosario, 6 Washington Way, Lawrence, MA
- 27. Julia Schmidt, 86 Gold Street, 1st Floor, New London, CT
- 27a. Sprint Compliance, address unknown
- 27b. Verizon Compliance, address unknown

Persons #28 through 45 are likely to have discoverable information about the treatment received by Veronica Rosario and Christina Santiago as the result of injuries each sustained in the automobile accident which is referred to in the complaint.

28. Keeper of the Records, Children's Hospital, 300 Longwood Avenue, Boston, MA, (617) 355-6000

29. Person in charge of billing, Children's Hospital, 300 Longwood Avenue, Boston, MA, (617) 355-6000

30. Various medical providers from Children's Hospital, 300 Longwood Avenue, Boston, MA including, but not limited to:

- a. David Mooney, M.D., (617) 355-6359
- b. Amy Ralph, M.D., Radiology, (617) 355-6286
- c. Jeannette Perez-Rossello, M.D., Radiology, (617) 355-6286
- d. Timothy Carroll, M.D., Radiology, (617) 355-6286
- e. Robyn Byer M.D., (617) 355-6000
- f. Deepa Soni, M.D., (617) 732-6600

- g. Michele M. Burns, M.D., (617) 355-6000
- h. Joshua Nagler M.D., (617) 355-6625
- i. Kathleen M. Ventre, M.D., (617) 355-7327
- j. Jeffrey P. Burns, M.D., (617) 355-7327
- k. Jennifer G. Andrus, M.D., (617) 355-6000
- l. Alexander M. Papanastas, M.D., (617) 355-6000
- m. Benjamin Hagendorf, M.D., (617) 355-6000
- n. David Brown, M.D., (617) 355-6000
- o. Gerhard K. Wolf, M.D., (617) 355-6000
- p. Alexander Dzakovic, M.D., (617) 355-6000
- q. David Lewis, M.D., (617) 355-6000
- r. David Rothstein, M.D., (617) 355-8325
- s. Charles Murphy, M.D., (617) 355-6624
- t. Edward Smith, M.D., (617) 355-8414
- u. Zara Cooper, M.D., (617) 732-5500
- v. David K. Urion, M.D., (617) 355-6388
- w. Padraig Sheeran, M.D., (617) 355-6000
- x. Leticia C. Castillo, M.D., (617) 355-7327
- y. Elizabeth Mahoney, M.D., (617) 355-6000
- z. Stephanie Greene, M.D., (617) 355-6008
- aa. Stefan Scholz, M.D., (617) 355-6000
- bb. Heung B. Kim, M.D., (617) 355-8544

cc. Theresa Becker, M.D., (978) 927-4004

dd. Zahir Sarwar, M.D., (617) 355-6000

ee. Richard L. Robertson, M.D., (617) 355-6000

ff. Robert L. Lebowitz, M.D., (617) 355-6000

gg. Jeanne S. Chow, M.D., (617) 266-6149

hh. Sabah Servaes, M.D., (617) 355-6000

ii. Susan A. Connolly, M.D., (617) 355-6000

jj. Anna Golja, M.D., (617) 355-6000

kk. Bang Huynh, M.D., (617) 355-6000

ll. Robert H. Cleveland, M.D., (617) 355-6000

mm. Joseph Makris, M.D., (617) 355-6000

nn. Howard Hoffman, M.D., (617) 355-6000

oo. Rick A. Fair, M.D., (617) 355-6000

pp. Jordan Zeigler, M.D., (617) 355-6000

qq. Matthew Schenker, M.D., (617) 355-6000

rr. N.T. Griscom, M.D., (617) 355-6000

ss. Rajit Shetty, M.D., (617) 355-6000

tt. Tina Young Poussaint, M.D., (617) 355-6000

uu. Robert J. Graham, M.D., (617) 355-6000

vv. Mona Sazgar, M.D., (617) 355-6000

ww. Ann Bergin, M.D., (617) 355-6000

xx. Robert J. Graham, M.D., (617) 355-6000

yy. Sally H. Vitaili, M.D., (617) 355-6000

31. Keeper of the Records, Spaulding Rehabilitation Hospital, 125 Nashua Street, Boston, MA, (617) 573-7000

32. Person in charge of billing, Spaulding Rehabilitation Hospital, 125 Nashua Street, Boston, MA, (617) 573-7000

33. Various medical providers from Spaulding Rehabilitation Hospital, 125 Nashua Street, Boston, MA including, but not limited to:

- a. Patrick Brennan, M.D., (617) 573-7000
- b. Donna Nimec, M.D., (617) 573-7000
- c. Marina Protopapas, M.D., (617) 573-7000
- d. Lucienne Cahen, M.D., (617) 573-2222
- e. Dr. Lynn, (617) 573-7000
- f. Aruna Sachdev, M.D., (617) 573-7000
- g. Gail Lopreste, M.D., (617) 573-7000

34. Keeper of the Records, Whittier Rehabilitation Hospital, 76 Summer Street, Haverhill, MA, (978) 372-8000

35. Person in charge of billing, Whittier Rehabilitation Hospital, 76 Summer Street, Haverhill, MA, (978) 372-8000

36. Various medical providers at Whittier Rehabilitation Hospital, 76 Summer Street, Haverhill, MA including, but not limited to:

- a. Kathleen Clermont, MS, CCC/SLP, (978) 372-8000

37. Keeper of the Records, New England Medical Center, Boston, MA, (617) 636-5000

38. Person in charge of billing, New England Medical Center, Boston, MA, (617) 636-5000

39. Various medical providers at New England Medical Center, Boston, MA including, but not limited to:

- a. Stephanie L. Kwei, M.D., (617) 636-5891
- b. Carl B. Heilman, M.D., Neurology, (617) 636-5860
- c. Stanley R. Gold, M.D., Emergency Room, (508) 833-4950
- d. Brian F. Gilchrist, M.D., (617) 636-5028
- e. Lara E. Morse, M.D., pediatric neurology, (617) 636-5340
- f. Mitchell B. Stominger, M.D., (617) 636-6769
- g. Kathleen M. Courtney, M.D., (617) 332-8273
- h. Peter G. Passias, M.D., (617) 636-5000
- i. Sami Erbay, M.D., radiologist, (617) 636-0040
- j. Donald B. Darling, M.D., pediatric radiologist, (617) 636-7931
- k. Kathy Byun, M.D., (617) 636-5000
- l. Robert J. Bert, M.D., radiologist, (617) 636-3246

40. Keeper of the Records, Essex Chiropractic, 493 Essex Street, Lawrence, MA, (978) 686-7111

41. Person in charge of billing, Essex Chiropractic, 493 Essex Street, Lawrence, MA, (978) 686-7111

42. Various medical providers at Essex Chiropractic, 493 Essex Street, Lawrence, MA including, but not limited :

43. Keeper of the Records, Advanced Spine Center, 420 Common Street, Lawrence, MA, (978) 557-9072

44. Person in charge of billing, Advanced Spine Center, 420 Common Street, Lawrence, MA, (978) 557-9072

45. Various medical providers at Advanced Spine Center, 420 Common Street, Lawrence, MA including, but not limited to:

a. Mark J. MacCormack, M.D., Chiropractic Physician, (978) 557-9092

Persons #24 through #26 and #28 through #48 are likely to have discoverable information about the effects of the injuries suffered by Christina Santiago and Veronica Rosario upon Christina Santiago, Veronica Rosario and Nancy Rosario as well as the losses suffered by Christina Santiago, Veronica Rosario and Nancy Rosario as the result of the deaths of Awilda Santiago and Jose Santiago.

46. Keeper of the Records, Lawrence Public Schools, 255 Essex Street, Lawrence, MA, (978) 975-5905

47. Various teachers of Christina Santiago, including, but not limited to:

a. Ms. Macinn, Home room teacher, South Lawrence East School, Lawrence, MA

b. Janet Farnan, evaluation team facilitator, South Lawrence East School, Lawrence, MA

c. Patricia Jennings, Reg. Ed. Teacher, South Lawrence East School,
Lawrence, MA

d. David Klarman, school counselor, South Lawrence East School,
Lawrence, MA

e. Pamela Lang, Special Education Teacher, South Lawrence East
School, Lawrence, MA

f. Christine Kalil, Regular Education, South Lawrence East School,
Lawrence, MA

48. Various teachers of Veronica Rosario, including, but not limited to:

a. Ms. Acevedo, South Lawrence East School, 165 Crawford Street,
Lawrence, MA, (978) 975-5970

b. Ms. Slam, South Lawrence East School, 165 Crawford Street,
Lawrence, MA, (978) 975-5970

49. Aileen Lopez, Parcelas Nuevas, Aguilita Calle, 22, #544, HC-04, Box 7798,
Juana Diaz, PR 0079-9602

50. Mrs. Marcelina Lopez, 67 Wilcox Street, New Britain, CT 06051, (860) 224-
8260

(b) **a description by category and location of, documents, data computation and
tangible things in the possession, custody or control of the disclosing party that may be used
to support its claims.**

1. United States District Court, District of Vermont criminal docket sheet of
Jeffrey Southworth, filed January 29, 2003 (Docket #03-CR-17-ALL);

2. Northampton (MA) District Court criminal docket sheet of Jeffrey Southworth, commencing May 12, 2003 (Docket #0345CR001625);
3. Amherst (MA) Police booking tape of Jeffrey Southworth, recorded May 12, 2003 or May 13, 2003;
4. Keeper of the Records, Amherst (MA) Police records of Jeffrey Southworth, dated May 13, 2003;
5. Merrimac (MA) Police arrest records of Jeffrey Southworth, dated September 5, 2003;
6. Newburyport (MA) District Court criminal docket sheet of Jeffrey Southworth, dated September 10, 2003 (Docket #0322CR002218);
7. Westford (MA) Police Incident Report, dated September 26, 2003;
8. Massachusetts State Police Reconstruction Report, concerning the September 27, 2003 accident;
9. Various Massachusetts Registry of Motor Vehicle records of Jeffrey Southworth;
10. Various pleadings in the case, Commonwealth v. Jeffrey Southworth, Middlesex Criminal Docket #03-1791;
11. Various documents from the Massachusetts Alcoholic Beverage Control Commission for RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse, Leominster, MA location;
12. Various documents from the Leominster Licensing Commission for RARE Hospitality International, Inc. d/b/a Longhorn Steakhouse, Leominster, MA;

13. Various newspaper articles concerning this accident;
14. Lawrence Public School records of Christina Santiago;
15. Lawrence Public School records of Veronica Santiago;
16. Lawrence Public School records of Awilda Santiago;
17. Christina Santiago post accident medical records and bills, including but not

limited to:

- a. Children's Hospital, Longwood Avenue, Boston, MA, dated September 27, 2003 through October 14, 2003;

- a. Spaulding Rehabilitation Hospital, Nashua Street, Boston, MA, dated October 14, 2003 through November 17, 2003;

- b. Whittier Rehabilitation Hospital, Haverhill, MA, dated November 10, 2003; November 25, 2003; November 28, 2003 and December 4, 2004;

18. Christina Santiago pre-accident medical records including but not limited to:

- a. Greater Lawrence Family Health Center, Lawrence, MA, dated May 23, 1991 through June 9, 2005;

- b. Lawrence General Hospital, Lawrence, MA, dated May 23, 1991 through June 9, 2005;

19. Veronica Rosario post accident medical records and bills, including but not limited to:

- a. Trinity EMS, Lowell, MA, dated September 27, 2003;

- b. New England Medical Center, Boston, MA, dated September 27, 2003 through September 30, 2003;

- c. Eastern Ambulance, Woburn, MA, dated September 30, 2003;
 - d. Children's Hospital, Longwood Avenue, Boston, MA, dated September 30, 2003 through October 3, 2003; October 28, 2003; October 30, 2003 through October 31, 2003 and November 3, 2003;
 - e. Essex Chiropractic, Lawrence, MA, dated November 5, 2003; November 7, 2003; November 10, 2003; November 12, 2003; April 20, 2004 through April 22, 2004; April 26, 2004 through April 27, 2004; April 29, 2004; May 3, 2004 through May 4, 2004; May 11, 2004; May 13, 2004; May 20, 2004; May 24, 2004 through May 27, 2004; June 1, 2004 through June 3, 2004; June 7, 2004 and June 9, 2004;
 - f. Advance Spine Center, Lawrence, MA, dated June 16, 2004; June 17, 2004 and June 24, 2004;
20. Veronica Rosario pre-accident medical records, including but not limited to:
- a. Advanced Spine Center, dated May 16, 1992 through June 13, 2005;
 - b. Greater Lawrence Family Health Center, Lawrence, MA, dated May 16, 1992 through June 9, 2005;
 - c. Lawrence General Hospital, Lawrence, MA, dated May 16, 1992 through June 14, 2005;
21. Awilda Santiago pre-accident medical records, not yet secured;
22. Jose Santiago pre-accident employment and medical records, not yet secured;
23. Death Certificate of Awilda Santiago;
24. Funeral bill of Awilda Santiago;
25. Death Certificate of Jose Santiago;

26. Funeral bill of Jose Santiago;
27. Employment records of Jose Santiago, not yet secured;
28. Various Massachusetts State Police photographs of the scene;
29. Expert reports, to be provided in accordance with applicable rules;
30. Any evidence introduced or relied upon by the Commonwealth of Massachusetts in prosecuting Jeffrey Southworth in the action Commonwealth v. Jeffrey Southworth, Middlesex Superior Court, Criminal #03-1791.

©) **a computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered;**

Attached as Exhibit A hereto, is a listing of hospital, physicians' and medical bills of all types incurred to date in connection with the various injuries suffered as a result of the defendant's acts and omissions. All such bills, and the hospital, physicians' and medical records generated in connection with the services described on those bills, have already been delivered to the defendant.

The computation of various other damages are ongoing and this disclosure will be supplemented in a timely fashion in accordance with applicable rules. Damages categories for the various injured parties are as follows:

Christina Santiago

Christina is still being evaluated and plaintiff reserves the right to supplement the information set forth in this disclosure by ways of various supplements of this disclosure and expert reports.

Christina suffered a severe traumatic brain injury in the accident.¹ She was hospitalized for 50 days, and to date has incurred over \$170,000 in hospital and medical expenses.

Christina, who was an average student prior to the accident, and otherwise healthy, is now in special education. She will be unable to care for herself and will need life long supervision and care, as will be detailed and documented in various expert reports to be supplied to defendant in accordance with applicable rules.

Christina now suffers from overall intellectual functioning in the borderline range with evidence of a clinically significant attention problems characterized by inattention and limitations in vigilance; problems in mental control, self-monitoring, and working memory; significant difficulties learning and remembering new information, particularly auditory information; and limitations in vocabulary with expressive vocabulary more impacted than receptive vocabulary, with evidence of word-finding difficulties, both to confrontation and in spontaneous speech.

The deficits described above have significant implications for Christina. Her ability to learn in school will be seriously impacted as well as her ability to function on a day to day level. Given these significant deficits in learning and remembering new information and in working memory she will have serious difficulty in, and be unable to, care for herself and live independently. Her difficulties with cognition and daily functioning are further exacerbated by the significant degree of emotional dysregulation related to the traumatic brain injury. She shows significant impulsivity, irritability and loss of control, resulting in outbursts of anger, which are prolonged and involve either

¹ Christina has suffered extensive, permanent injury. Among others, Christina suffered the following injuries in the accident: left temporal bone fracture, severe trauma to her chest with bilateral pneumothoraces and pneumomediastinum, severe cognitive linguistic and severe dysphagia, vocal parameters are characterized by decreased focal range, change in pitch and harshness. She has significant word-finding deficits with confrontation task and conversation and deficits in attention memory, thought organization, problem solving and judgment.

the destruction of property and/or aggression against others. These behaviors occur without warning, are unmodulated, last a long time and do not appear within Christina's control despite the feelings of remorse which she experiences after the fact. These set of behaviors will worsen her already significant cognitive difficulties.

Christina's impulsivity and poor judgment, combined with her acting out behavior, place her at significant risk for self endangering behavior, including substance abuse and sexually promiscuous behavior. This risk is increased by the fact that while she seems to have intellectual awareness of her deficits she does not have an ongoing appreciation of their seriousness or the potential problem causing impact on her behavior.

Christina's self esteem has also been impacted by the injury, the scarring from the injury is a reminder of the trauma she has experienced and has heightened her degree of self consciousness and led to a wish not to expose herself to new individuals.

In addition to the behavioral and cognitive disturbances described above, Christina continues to experience significant feelings of sadness, accompanied by episodes of crying. She continues to mourn the loss of her father and sister, is sad, upset and distressed by her mother's continuous feelings of sadness. Christina also shows increased feelings of fearfulness, both for the safety of other family members and for herself when she is left alone. She continues to have traumatic dreams about her sister, and sleepwalks, which is consistent with traumatic brain injury. She also shows disturbance of sleep, with some reversal sleep pattern, that is being unable to sleep at night and feeling sleepy during the day. Her general mood is "stressed out" and dysphoric.

As part of Christina's life care plan she will need ongoing support of counseling on an indefinite basis and may need medication to treat both her symptoms of depression and emotional

liability. Her feelings of sadness regarding the loss of her sister and father and feelings of sadness as she becomes gradually more aware of her own very serious deficits and limitations are expected to continue indefinitely.

Materials bearing on Christina's damages include various medical records, bills and school records for treatment received since the accident, various medical records and school records pre-dating the accident, the results and interpretation of various examinations of, and diagnostic tests performed upon, Christina since the accident, and various expert reports which will be produced in accordance with applicable rules and any agreements of the parties during the course of this litigation.

Veronica Rosario

Veronica is still being evaluated and plaintiff reserves the right to supplement the information set forth in this disclosure by way of additional supplements to this disclosure and various expert reports.

Veronica suffered multiple trauma to the brain, face, chest, spine and abdomen, including cerebral contusions, at T4-5 and multiple splenic contusions with fracture of the anterior spleen. In addition, Veronica suffered multiple body and corneal abrasions. Veronica was hospitalized for approximately 7 days and has incurred to date \$42,599.96 in hospital and medical expenses.

Veronica was with Awilda Santiago and Jose Santiago when they died, and will continue to suffer, emotional distress as a result, including various physical manifestations of her mental distress.

Veronica has memories from the accident scene including having seen her sister Awilda and father near the car and noticing a lot of blood. She sleeps poorly at night and often will scream or shout out in her sleep. She also sleepwalks. Veronica was very close to Awilda. The motor vehicle

accident, the deaths of her father and Awilda, and the serious injury to Christina, the effects upon her mother and the physical scarring she has suffered have all had serious and persisting psychological and functioning effects upon Veronica. She manifests symptoms of major depression, including depressed moods, disturbed sleep, increased appetite and weight gain, decreased concentration, heightened irritability and suicidal ideation. She also manifests signs and symptoms of post traumatic stress disorder, including recurrent recollections of the accident, dreams related to the event, triggering of symptoms by events which recall the event for her, impaired sleep, irritability, difficulty concentrating and a sense of hyper vigilance. She has feelings of anxiety as well as persistent feeling of loss or emptiness relating to the death of Awilda. Her self esteem and self image have also been affected. She views herself as ugly related to the scars she has suffered in the accidents. She manifests a significant behavioral disturbance, a result of her feeling always angry, leading her to engage in verbally aggressive and physically destructive behavior. Following these episodes she has feelings of sadness and remorse and wishes on occasion to engage in self destructive behavior as a punishment for this behavior.

She had no prior history of mental disorder or treatment and her development history was within normal limits and with the exception of bed wetting until she was 7 or 8 years old, she has not had any other behavioral problems.

Due to the conditions described above and their persistence, along with the profound effects of those conditions both on functioning and emotional distress, Veronica will require individual psychotherapy on a weekly basis along with regular medication monitoring and the prescription of appropriate medication. This treatment may last for approximately two years. Given appropriate treatment and assuming no additional traumatic events, some improvement may be expected.

However, other symptoms are expected to persist to a significant degree into the foreseeable future, including memories of the event, an ongoing sense of sadness and loss related to the death of family members, a heightened sense of fearfulness and vulnerability and triggering by events reminiscent of this accident. In addition, Veronica will continue to be adversely impacted by the effects of this accident upon her mother and Christina, and even given optimal treatment and recovery, Veronica will always remember the events in question, miss her father and sister and have a heightened susceptibility of any future traumatic event in her life.

Materials bearing on Veronica's damages include various medical records, bills and school records for treatment received since the accident, various medical records and school records pre-dating the accident, the results and interpretation of various examinations of, and diagnostic tests performed upon, Veronica since the accident and various expert reports which will be produced in accordance with applicable rules and any agreements of the parties during the course of this litigation.

Nancy Rosario

Nancy is still being evaluated and plaintiff reserves the right to supplement the information set forth in this disclosure by way of additional supplements to this disclosure and various expert reports.

Nancy has suffered profoundly since and as a result of the accident. She is suffering from persistent depression, particularly when she is alone and is depressed more than half the time. Subsequent to the accident, she was hospitalized for treatment of severe depression with suicidal ideation, all as a result of the accident. Although she no longer has suicidal ideation she continues to suffer from depression which varies in its intensity. Accompanying her feelings of depression are

her wishes to be alone with consequent social isolation, a profound loss of appetite and a weight loss of almost 50 pounds.

She frequently cries, has difficulty sleeping and often takes naps during the day due to her fatigue. She has a decreased ability to enjoy formerly pleasurable activities as well as a decreased sense of energy. She suffered an inability to engage in sexual relations for a significant period of time following the accident due to her depression. She is constantly thinking about and reminded of the accident and visits Awilda's grave on a regular basis. She has since the accident more preoccupied, distractable and forgetful and suffers from symptoms of anxiety. On occasion she will "shake or sweat" and start in her sleep. She has become more worried about the safety of her children and among other things her sleep is disturbed because of her worries of her children sleepwalking.

She has concerns on an ongoing basis regarding Christina's level of function, judgment and safety. As noted above, she does not enjoy formerly pleasurable activities including trips and opportunities to be with her children since there is always Awilda missing. She is tearful when discussing the accident and its effects on her and her family.

She now meets the diagnostic criteria for major depression referring to her persistent depressed mood, her diminished pleasure in activities, her significant weight loss, her disturbed sleep, her decreased energy and her history of suicidal ideation. She has suffered significant alteration in her functioning. She has been unable to enjoy work, tends to isolate herself and is no longer able to enjoy previously pleasurable activities such as family outings. She is left with persistent memories and thoughts of her deceased daughter and profound sense of sadness. She also

has somatic symptoms of anxiety, is fearful about the safety of her remaining children and particularly worried about Christina and her ability to function and care for herself.

She will require individual psychotherapy on an weekly basis along with regular medication monitoring and prescriptions. It is anticipated she will require two to three years of individual psychotherapy at this level. Given appropriate treatment and assuming no additional traumatic events some of her symptoms should slowly resolve over the course of treatment, including depressed mood, disrupted sleep, lack of energy and pleasure from activity, depressed appetite, crying and social isolation. Despite the anticipated improvement some symptoms will persist to a significant degree for the foreseeable future. These will include memories of the event, heightened sense of fearfulness regarding the safety of her children and an ongoing sadness and loss. She will also continue to be adversely impacted, distressed and sad regarding the deficit and behavioral issues with her daughters, particularly Christina which manifest themselves as a result of the accident. She will always remember the events in question, always miss her daughter, always have ongoing concerns regarding her other children and have a heightened susceptibility to reactivity if any future traumatic events occur.

Materials bearing on Nancy's damages include various medical records and bills for treatment received since the accident, various medical records pre-dating the accident, the result and interpretation of various examinations of Nancy since the accident and various expert reports which will be produced in accordance of applicable rules and any agreements of the parties during the course of this litigation.

Awilda Santiago

Damages suffered as a result of Awilda's death are still being evaluated and plaintiff reserves the right to supplement the information set forth in this disclosure by way of supplements to this disclosure and various expert reports.

Her survivors have suffered various losses as a result of her death, including a loss of Awilda's lost net income, services, protection, care, assistance, society, companionship, guidance, counsel and advice of Awilda, as well as suffering the cost of funeral and burial expenses as a result of Awilda's death.

Materials bearing on damages occasioned as the result of Awilda's death include various medical records and school records pre-dating the accident, various other information about Awilda's life prior to the accident and various expert reports which will be produced in accordance with applicable rules and any agreements of the parties in the course of this litigation.

Jose Santiago

Damages suffered as a result of Jose's death are still being evaluated and plaintiff reserves the right to supplement the information set forth in this disclosure by way of supplements to this disclosure and various expert reports.

His survivors have suffered various losses as a result of his death, including a loss of Jose's lost net income, services, protection, care, assistance, society, companionship, guidance, counsel and advice of Jose, as well as suffering the cost of funeral and burial expenses as a result of Jose's death.

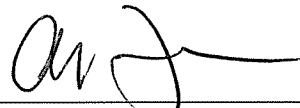
Materials bearing on damages occasioned as the result of Jose's death include various medical records and employment records pre-dating the accident, various other information about

Jose's life prior to the accident and various expert reports which will be produced in accordance with applicable rules and any agreements of the parties in the course of this litigation.

(d) **for inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

N / A

Plaintiff
By her attorney:



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Boston, MA 02108
(617)742-7766
B.B.O. #159340

Date: September 30, 2005

CERTIFICATE OF SERVICE

SUFFOLK, SS

September 30 2005

A copy of the Plaintiff's Initial Disclosure was today e-mailed to Brian Voke, Esq., Campbell, Campbell, Edwards & Conroy, One Constitution Plaza, Boston, MA 02129.



Albert L. Farrah, Jr., Esq.